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REMARKS

Reconsideration of the above identified application in view of this Amendment is respectfully requested. This Amendment is in response to the Office Action dated December 14, 2006. By said Office Action, claim 5 was objected to because of informalities due to 'printing' errors in the document as filed. The title was rejected for being not descriptive. Claims 5 - 10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 5 - 10 were rejected under 35 U.S.C. 102(e) as being anticipated by Gemmell (USPUB 20040260863). Claim 21 was rejected under 35 U.S.C. 102(e) as being anticipated by Schmidt et al. (US 6907473). Claim 45 was rejected under 35 U.S.C. 103(a) as being unpatentable over Gemmell (USPUB 20040260863) in view of Chainer et al. (US 6075665). Claim 46 was rejected under 35 U.S.C. 103(a) as being unpatentable over Gemmell (USPUB 20040260863) in view of Chainer et al. (US 6075665) and further in view of Schmidt et al. (US 6907473). Claims 22 - 27 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1-4, 11-20, and 35-44, were acknowledged as allowable subject matter over the prior art of record.

By this Amendment, the Applicant has amended claim 21. Claims 5-10, 22, 23, 27, 45, and 46 have been cancelled. Claims 1-4, 11-20, 24-26, and 35-44 remain as previously presented. New claims 47 and 48 have been added.

Claim Objections

The examiner objected to claim 5 for informalities. Claim 5 has been cancelled.

Specification

The Examiner objected to the title in the Specification as being non-descriptive.

By this Amendment, the Applicant has changed the title to "Method of encoding and transmitting data over a communication medium through division and segmentation".

35 U.S.C. 112, Second Paragraph Rejections

The Examiner rejected claims 5-10 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

By this Amendment, claims 5-10 have been cancelled.

35 U.S.C. 102(e) Rejections

The Examiner rejected claims 5-10 under 35 U.S.C. 102(e) as being anticipated by Gemmell (USPUB 20040260863), and claim 21 as being anticipated by Schmidt et al. (US 6907473).

By this Amendment, the Applicant cancelled claims 5-10. Claim 21 has been amended to include the limitations of allowable, now cancelled, claim 23, and is therefore in allowable form. The Applicant reserves the right to file continuation applications and/or divisional applications with the cancelled claims.

35 U.S.C. 103(a) Rejections

The Examiner rejected claim 45 under 35 U.S.C. 103(a) as being unpatentable over Gemmell (USPUB 20040260863) in view of Chainer et al. (US 6075665), and claim 46 as being unpatentable over Gemmell (USPUB 20040260863) in view of Chainer et al. (US 6075665) and further in view of Schmidt et al. (US 6907473).

By this amendment, the Applicant has cancelled claims 45 and 46.

Allowable Subject Matter

The Examiner objected to claims 22-27 as being dependent upon rejected base claim 21, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, claims 22 and 27 were cancelled. Claim 21 was amended to include all the limitations of claim 23. Claim 24-26 were left as previously presented.

In view of the discussion above in the context of the 35 U.S.C. 102(e), the Applicant submits that the base claim from which claims 24-26 depend is now allowable, making claims 24-26 allowable in their present form.

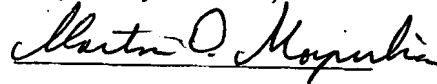
New Claims

New claims 47 and 48 have been added. Claim 47 includes all the limitations of claim 21 and allowable, now cancelled, claim 22, and is therefore in allowable form. Claim 48 includes all the limitations of claim 21 and allowable, now cancelled, claim 27, and is therefore in allowable form.

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In view of the foregoing, it is submitted that all the claims now pending in the application are allowable over the cited prior art. An early Notice of Allowance is therefore respectfully requested.

Respectfully submitted,



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Enclosures:

- Petition for Extension (2 Months)
- Additional Claims Transmittal Fee